

**MILSTEIN JACKSON
FAIRCHILD & WADE, LLP**
Gillian L. Wade, State Bar No. 229124
gwade@mjfwlaw.com
Sara D. Avila, State Bar No. 263213
savila@mjfwlaw.com
Marc A. Castaneda, State Bar No. 299001
mcastaneda@mjfwlaw.com
2450 Colorado Ave., Ste. 100E
Santa Monica, California 90404
Tel: (310) 396-9600
Fax: (310) 396-9635

[Additional counsel on signature page.]

Attorneys for Plaintiffs and the Proposed Class

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

WILLIENE JACKSON-JONES,
individually and on behalf of all others
situated, KAREN SANTOS, individually
and on behalf of all situated,

Plaintiffs

vs.

EPOCH EVERLASTING PLAY, LLC, a
Delaware limited liability company,
TARGET CORPORATION, a Minnesota
corporation, and AMAZON.COM
SERVICES LLC, a Delaware
corporation,

Defendants.

Case No. 2:23-cv-02567-ODW-SK

**PLAINTIFFS' NOTICE OF
MOTION FOR CLASS
CERTIFICATION**

Date: June 10, 2024

Time: 1:30 p.m.

Judge: Hon. Otis D. Wright II

Crtrm.: 5D

**TO THE COURT, ALL PARTIES, ALL INTERESTED PERSONS, AND
THEIR RESPECTIVE COUNSEL OF RECORD:**

PLEASE TAKE NOTICE that on June 10, 2024 at 1:30p.m. in the above-entitled Court, before the Honorable Otis D. Wright II, in Courtroom 5D, Fifth Floor of the First Street Courthouse, 350 W. 1st Street, Los Angeles, California 90012, Plaintiffs Williene Jackson-Jones and Karen Santos (“Plaintiffs”) on behalf of themselves and all others similarly-situated, by and through their counsel, will and hereby do move for class certification pursuant to Federal Rule of Civil Procedure Rule (“Rule”) 23(b)(2) and 23(b)(3).

This motion is made following the conference of counsel pursuant to L.R. 7-3 which took place on March 3, 2024.

Plaintiffs move this Honorable Court for an Order as follows:


1. That this case is certified to proceed to the merits as a class action pursuant to Fed. R. Civ. P. Rule 23(b)(2) and, alternatively, pursuant to Rule 23(b)(3) on all causes of action set forth in Plaintiffs’ Complaint against Defendants Epoch Everlasting Play, LLC (“EEP”), Target Corporation (“Target”), and Amazon.com Services LLC (“Amazon”) (collectively, “Defendants”) on behalf of the following Class: All persons in the State of California who purchased at least one of the Products, for personal use and not for re-sale, since January 30, 2019. For purposes of this Motion and the proposed class definition, the term “Products” means all Calico Critters flocked toys that were sold with a small part. A list of the Products is attached hereto as Appendix A. Excluded from the Class are Defendants, their officers, directors, agents, trustees, parents, children, corporations, trusts, representatives, employees, successors, assigns, or other persons or entities related to or affiliated with Defendants and/or their officers and directors and/or any of them. Also excluded from the proposed Class are the Court, the Court’s immediate family and Court staff.
2. That Plaintiffs Williene Jackson-Jones and Karen Santos (“Plaintiffs”) are appointed as Class Representatives.

3. That the following attorneys are appointed class counsel pursuant to Fed. R. Civ. P. Rule 23(g): Gillian L. Wade, Marc A. Castaneda, and Sara D. Avila of the law firm Milstein, Jackson, Fairchild & Wade, LLP; David Slade of the law firm WH Law; and, Jack Walker, Justin R. Kaufman, and Philip M. Kovnat of the law firm Martin Walker.

This motion is based upon this notice of motion, the concurrently-filed memorandum of points and authorities, declarations, exhibits, and evidence submitted in support thereof, any written or oral arguments or evidence submitted in connection therewith, all of the papers on file in this action, and upon such further arguments and evidence as may be presented at or after the hearing of this matter.

Date: March 11, 2024

**MILSTEIN JACKSON
FAIRCHILD & WADE, LLP**

By: 
Gillian L. Wade, Esq.
Sara D. Avila, Esq.
Marc A. Castaneda, Esq.

WH LAW
David F. Slade (*pro hac vice*)
dslade@wh.law
1 Riverfront Pl., Ste. 745
North Little Rock, AR 72114
Telephone: (501)404-2052

DURHAM, PITTARD & SPALDING, LLP
Justin R. Kaufman (*pro hac vice*)
jkaufman@dpslawgroup.com
Philip Kovnat (*pro hac vice*)
pkovnat@dpslawgroup.com
505 Cerillos Rd., Ste. A209
Santa Fe, NM 87501
Telephone: (505)986-0600

MARTIN WALKER
Jack Walker (*pro hac vice*)
jwalker@martinwalker.com
121 N. Spring Ave.
Tyler, TX 75702
Telephone: (903)526-1600

Attorneys for Plaintiffs and the Proposed Class

<u>Item Number and Product Description</u>
CC1406 Striped Cat Family
CC1407 Sandy Cat Twins
CC1455 Koala Family
CC1460 Kangaroo Family
CC1472 Tuxedo Cat Family
CC1480 Walnut Squirrel Family
CC1481 Hazelnut Chipmunk Twins
CC1482 Baby Friends Triplets Plush
CC1484 School Friends Set
CC1485 School Music Set
CC1486 School Lunch Set
CC1489 Mango Monkey Family
CC1492 Red Panda Family
CC1507 Wilder Panda Family
CC1509 Bear Family
CC1567 Chocolate Rabbit Grandparents
CC1571 Ellwoods Elephant Twins
CC1642 Hopscotch Rabbit Family
CC1643 Chocolate Rabbit Twin
CC1693 Silk Cat Family
CC1735 Toy Poodle Family
CC1737 Toy Poodle Twins
CC1791 Baby Tree House
CC1792 Baby Castle Playground
CC1793 Baby Choo Choo Train
CC1794 Maple Cat Family
CC1795 Maple Cat Twins
CC1799 Baby Ferris Wheel
CC1800 Baby Airplane Ride
CC1802 Marshmallow Mouse Family
CC1803 Woolly Alpaca Family
CC1804 Splashy Otter Family
CC1806 Marshmallow Mouse Triplets
CC1832 Baby Shopping Series
CC1840 Nursery Friends Set

<u>Item Number and Product Description</u>
CC1843 Sweet Raspberry Home
CC1845 Baby Party Series
CC1865 Persian Cat Family
CC1866 Persian Cat Twins
CC1867 Persian Cat Triplets
CC1873 Baby Camping Series
CC1880 Caramel Dog Family
CC1882 Playful Starter Furniture Set
CC1884 Lakeside Lodge Gift Set
CC1886 Adventure Tree House Gift Set
CC1887 Baby Ropeway Park
CC1888 Baby Hedgehog Hideout
CC1890 Baby Outdoor Series
CC1900 Baby Windmill Park
CC1902 Baby Balloon Playhouse
CC1906 Triplets Care Set
CC1907 Baby Costume Series
CC1911 Hoppin' Easter Set
CC1915 Baby Amusement Park
CC1916 Baby Star Carousel
CC1917 Spooky Surprise House
CC1918 Royal Carriage Set
CC1919 Baby Magical Party Series
CC1923 Hedgehog Family
CC1924 Hedgehog Twns
CC1939 Midnight Cat Family
CC1940 Pookie Panda Family
CC1967 Sheep Family
CC1968 Sheep Twins
CC1969 Goat Family
CC1971 Pony's Stylish Hair Salon
CC1972 Pony's Hair Stylist Set
CC1973 Princess Dress Up Set
CC1974 pony friends set
CC1975 Party Time Playset Tuxedo Cat Girl

<u>Item Number and Product Description</u>
CC1976 Husky Family
CC1977 Highbranch Giraffe Family
CC1978 Tandem Cycling Set
CC1979 Husky Twins
CC1980 BBQ Picnic Set Elephant Girl
CC1981 Cycle and Skate Set Panda Girl
CC1983 Weekend Travel Set Snow Rabbit Mother
CC1984 Baby Treats Series
CC2018 Yellow Labrador Family
CC2019 Yellow Labrador Twins
CC2024 Baby Fun Hair Series
CC2026 Popcorn Delivery Trike
CC2027 Trick or Treat Parade
CC2028 Chocolate Rabbit Family
CC2029 Red Roof Cozy Cottage
CC2053 Baby's Toy Box Snow Rabbit & Panda Babies
CC2058 Reindeer Family
CC2060 Reindeer Twins
CC2061 Easter Celebration Set
CC2062 Penguin Family
CC2063 Penguin Babies Ride N Play
CC2067 Adventure Treehouse Gift
CC2069 Fennec Fox Family
CC2070 Fennec Fox Twins
CC2071 Sunny Picnic Set Fennec Fox Sister & Baby
CC2072 Baby Fairy Tale Series
CC2073 Baby Mermaid Castle
CC2074 Floating Cloud Rainbow Train
CC2075 Milk Rabbit Family
CC2076 Triplets Baby Bath Time
CC2077 Royal Princess Set
CC2078 Pony's Vanity Dresser Set
CC2080 Village Doctor Starter Set
CC2081 Happy Christmas Friends
CC2082 Baby Seashore Friends Set

<u>Item Number and Product Description</u>
CC2083 Red Roof Country Home Gift Set-Secret Attic Playroom
CC2099 Chocolate Rabbit Twin
CC2105 Hedgehog Twins
CC2131 Yellow Labrador Twins
CC2144 Toy Poodle Twins
CC2149 Sophie's Love N Care
CC2488 Connor and Kerri's New Carriage Ride
CC2537 Sophie's Love N Care
CC2625 Patty N Paden Double Stroller
CC2771 Apple and Jake Ride N Play
CC3011 Grand Department Store Gift Set
CC3013 Designer Studio
CC3022 Dress Up Duo Set
CC3023 Violin Concert Set
CC3025 Grand Piano Concert Set
CC3026 Town Girl Stella Hopscotch
CC3027 Town Girl Lulu Silk Cat
CC3028 Town Girl Laura Toy Poodle
CC3036 Cute Couple Set
CC3038 Town Girl Series Marshmallow Mouse
CC3042 Elegant Town Manor Gift Set
CC3048 Fashion Boutique
CC3049 Fashion Play Set Persian Cat
CC3050 Fashion Play Set Tuxedo Cat
CC3051 Fashion Play Set Sugar Sweet Collection
CC3052 Fashion Play Set Shoe Collection
CC3053 Fashion Play Set Jewels Gems Collection
CC4001 Nursery Chocolate Rabbit Baby Key Chain
CC4002 Baby Trio Mascot
CC4003 Baby Trio Fruits
CC4004 Baby Bride and Groom
CC4006 Snuggly Sloth Family
CC4007 Mole Family
CC4008 Raincoat Babies
CC4013 Baby Duo Flowery Garden Friends

<u>Item Number and Product Description</u>
CC4015 Colorful Baby Unicorn
CC4016 Shiba Dog Family
CC4021 Handsome Brothers Set
CC4022 Winter Carolers
CC4023 French Bulldog Family
CC4024 Ice Castle Amusement Park
CC4500 Calico Husky Family Pack
CF1564 Seaside Cruiser
CF1825 Hillcrest Home Gift Set
CF1842 Red Roof Tower Home
CF1872 Red Roof Grand Mansion Gift Set
CF1905 Sky Blue Terrace Gift Set
CF1920 Mr. Lion's Winter Sleigh
CF1930 Trick or Treat Trio
CF1945 Log Cabin Gift Set
CF3024 Cello Concert Set
086-02-0258 Calico Critters Persian Cat Fashion Playset
086-02-1321 Calico Critters Wilder Panda Twins
086-02-1683 Calico Critters Hopscotch Grandparents
086-02-1945 Calico Critters Fluffy Hamster Twins
086-02-2452 Calico Critters Ellwoods Elephant Family
086-02-3234 Calico Critters Sweetpea Rabbit Family Playset
086-02-8120 Gingerbread Playhouse
086-02-8199 Halloween Playhouse
086-02-9389 Flower Gifts Playset
B00004U322 Calico Critters Beagle Dog Twins
B000096M5G Calico Tanner & Tallulah's Nursery Fun Time Sleep N
B000096M5L Calico Critters: Dalmatian Dog Twins
B00009VE0D Calico Critters Carry and Play House
B000227NAG Calico Critters Camryn's Country Boutique
B000227NAQ Calico Critters Fisher Cat Family
B0007ORYA8 Calico Critters Pigglywink Pig Family
B0007ORYBC Calico Critters Deluxe Baby's Nursery Set
B0007ORYC6 Calico Critters Margaret and Halley's Dress Shop
B000F4I30U Calico Critters in Mini Carrying Case

<u>Item Number and Product Description</u>
B001P8H3II Calico Critters Britney Bunny Ballet Recital
B001P8TMMI Calico Critters Furbanks Squirrel Twins
B002QB7WPW Calico Critters Caramel Cat Twins
B002QBDISW Calico Critters Sugar Bear Twins
B0045WTDAC Calico Critters Seaside Camping Set
B005OZZEI4 Calico Critters Buckley Deer Family
B005P04FVK Calico Critters Tuxedo Cat Triplets
B009AWBLDO Calico Critters Melissa and Melody Bath Time Set
B009AWEAZU Calico Critters Chocolate Labrador Triplets
B009AWRJL2 Calico Critters Chihuahua Twins Set
B009XJTQ7M Calico Critters Luxury Townhome Gift Set
B087DWS19D Calico Critters Border Collie Family Set
B00AMEILGE Calico Critters Border Collie Twins Set
B00E4LJC6O Calico Critters Outdoor Sports Fun
B00ENQ1Z4M Calico Critters Winter Sports Fun Playset
B00HEYGR4S Calico Critters Woodbrook Beaver Family Playset
B00KE2C8DQ Calico Critters Lakeside Lodge Gift Set
B00NY64BYSCalico Critters Country Nurse Set Playset
B00NY6F4MQ Calico Critters Cuddle Bear Family
CC1454 Calico Critters Chocolate Labrador Family Doll Set
B00NY6OU76 Calico Critters Country Dentist Set Playset
B00NY6TPXA Calico Critters Cuddle Bear Twins Doll
B00NY6YGPM Calico Critters Country Doctor Playset
B0102AC69K Calico Critters Fluffy Hamster Family
B01AO2LCXW Calico Critters Seaside Ice Cream Shop
B01AYEY354 Calico Critters Seaside Treasure Set
B01KIGDW64 Calico Critters Ice Skating Friends
B01KIGHOLI Calico Critters Ballerina Friends
B01L7F9MJG Calico Critters Ballet Theater
B01L7FC9B4 Calico Critters Doughnut Store
B01L7FEEEE Calico Critters Dressing Area Set
B01L8VY320 Calico Critters Pizza Delivery Set
B01L8VY32U Calico Critters Brick Oven Bakery
B071HWHGZ9 Calico Critters Cake Decorating Set
B071VTPH1V Calico Critters Village Cake Shop

<u>Item Number and Product Description</u>
B07Q4R9R7Q Calico Critters Town Girl Series - Miranda Maple Cat
B087DSKJ8M Calico Critters Baby Celebration Marching Band Set
B087DXGL5P Calico Critters Marguerite Rabbit Family Dolls
B087F168HC Calico Critters Sea Breeze Rabbit Family Dolls
B087F5XRZV Calico Critters Deluxe Celebration Home Premium Set (Amazon Exclusive)
B08TTQ7546 Calico Critters Darling Ducklings Baby Carriage
B08V4KW6GF Calico Critters Fairytale Friends
B08V4P55J3 Calico Critters Veggie Babies
B08V4YWX9D Calico Critters Costume Cuties - Bunny & Puppy
B08V51L8B3 Calico Critters Costume Cuties - Kitty & Cub
B08V56XD35 Calico Critters Costume Cuties - Bunny & Birdie
B08V57HL71 Calico Critters Ice Cream Cuties
B08VM2877X Calico Critters Baby Ninja Trio
B08VM5M156 Calico Critters Meerkat Family
B08VM9Q1TP Calico Critters Friesian Cow Family
B09S1FC8HF Calico Critters Country Tree School Gift Set
B09S1FCNSF Calico Critters Large House with Carport Gift Set